

copy for Mike

Louis J. Knobbe*
 Dad W. Martens*
 Gordon H. Olson*
 James B. Bear
 Darrell L. Olson*
 William B. Bunker
 William H. Nieman
 Arthur S. Rose
 James F. Lesniak
 Ned A. Isgrisen
 Drew S. Hamilton
 Jerry T. Sewell
 John B. Spang, Jr.
 Edward A. Schläpfer
 Gerard von Hoffmann
 Joseph R. Re
 Catherine J. Holland
 John M. Carson
 Karen Vogel Weil
 Andrew H. Simpson
 Jeffrey L. Van Hooser
 Daniel E. Altman
 Marguerite L. Gunn
 Stephen C. Jensen
 Vito A. Canuso III
 William H. Shrove
 Lynda J. Zadra-Symest
 Steven J. Natusky
 Paul A. Stewart
 Joseph F. Jennings
 Craig S. Summers
 AnneMarie Kaiser
 Brenton R. Babcock
 Thomas F. Smegal, Jr.
 Michael H. Trenholm
 Diane M. Reed
 Ronald J. Schoenbaum
 John R. King
 Frederick S. Baratta
 Nancy W. Vensko
 John P. Glezenlanner
 Adeel S. Akhtar
 Ginger R. Dregger
 Thomas R. Arno
 David N. Weiss
 Daniel Hart, Ph.D.
 Douglas G. Muehlhauser
 Lori Lee Yamalo
 Michael K. Friedland

Dale C. Hunt, Ph.D.
 Richard E. Campbell
 Paul D. Tripodi II
 Stacey R. Malpern
 Loc W. Henderson, Ph.D.
 Mark M. Abumen
 Jon W. Gurka
 John W. Holcomb
 Joseph M. Reisman, Ph.D.
 Michael L. Fuller
 Deborah S. Shepherd
 Eric M. Nelson
 Mark R. Benedict, Ph.D.
 Paul N. Conover
 Robert J. Roby
 Sabing H. Leo
 Karoline A. Delaney
 James J. Mullen III, Ph.D.
 Joseph S. Cianfrani
 William R. Zimmerman
 Glen L. Nuttall
 Eric S. Furman, Ph.D.
 Tizah Abd Lowe
 Alexander Franco
 Saajivpal S. Gill
 Susan Moss Nadjand
 James W. Hill, M.D.
 Rose M. Thiesen, Ph.D.
 Michael A. Guillana
 Mark J. Kertz
 Rabinder N. Narula
 Bruce S. Hochkewitz, Ph.D.
 Peter M. Midgley
 Thomas S. McClenahan
 Michael S. Okamoto
 John M. Grover
 Mallory K. De Martler
 Irfan A. Latouf
 Amy C. Christensen
 Sharon S. Ng
 Mark J. Gallagher, Ph.D.
 David G. Jankowski, Ph.D.
 Brian C. Horne
 Payson J. LeMellieur
 Diana W. Prince
 William C. Bolling
 Sheila N. Swaroop
 Ben A. Katzenellenbogen
 Linda H. Liu

Knobbe Martens Olson & Bear LLP

Intellectual Property Law

550 West C Street
 Suite 1200
 San Diego CA 92101
 Tel 619-235-8550
 Fax 619-235-0176
 knob.com

January 25, 2002
 2:13 PM

ORIGINAL WILL FOLLOW VIA:

- ☐ Mail
- ☐ Courier
- ☐ International Airmail
- ☐ Hand Delivery
- ☒ Will Not Follow
- ☐ With Enclosures
- ☐ Without Enclosures

Vincent M. Pollmeier
 Jeffrey S. Ellsworth
 Andrew N. Merickel, Ph.D.
 Douglas T. Hudson
 David L. Hauser
 Kaare O. Larson
 James F. Herkenhoff
 Scott L. Murray
 Roger S. Shang
 Andrew M. Douglas
 Marc T. Morley
 Salma A. Merani, Ph.D.
 Sam K. Tahmassebi, Ph.D.
 Christy L. Green
 Jalal Gadr
 Jonathan A. Hyman
 Curtiss C. Desier
 Richard A. DeCristofaro
 Donna O. Pardue, Ph.D.
 Joseph J. Mallon, Ph.D.
 Joanne L. Dufek
 Thomas P. Krzeminski
 Jeffrey A. Birchak
 Sean M. Murray
 Jason P. Florillo
 Elenore Niu
 Valerie L. Bracken
 Samuel K. Simpson
 Johnfar F. Kerlee
 Jeremy P. Sanders
 Perry D. Diddam
 Jerry L. Helner
 Russell M. Jelde
 Abraham W. Chuang
 Ryan N. Parr
 Pul Tong Ho
 Erik T. Anderson
 John L. Palk
 Eric K. Marlos
 James A. Rothwell
 Marc C. Baumgartner
 Ray B. Hom
 Danielle Klausner
 Kyle F. Schlueter
 Raphael A. Guderaz
 Damian K. Jackson
 Nathan A. Engels

Of Counsel
 Jerry R. Sciler
 Paul C. Stalhardt

Japanese Patent Att
 Katsuhiko Arai
 Tomohisa Sugiyama

European Patent Att
 Martin Hellebrandt

Korean Patent Att
 Mincheol Kim
 Heungsoo Choi

Solicitor (England & Wal
 J. David Ewred

Scientists & Engineer
 (Non-Lawyers)

Raimond J. Salenicks**
 Khurram Rahman, Ph.D.
 Jennifer A. Haynes, Ph.
 Tommy Y. Nagata
 Cho S. Chereskin, Ph.D.
 James W. Aulley**
 Jennifer Hayes
 Kirk E. Pastorian, Ph.D.
 Charles T. Ridgely
 Bonny Yeung, Ph.D.
 Connie C. Tong, Ph.D.
 Suzanne G. Jepson, Ph
 David K. Wiggins
 Megan M. McCoy
 Nira M. Brand
 Catherine M. Sanders
 Jeffrey A. Hopkins
 Tiffany C. Miller
 James W. Chang, Ph.D.
 Marina L. Gorder, Ph.D.
 Edward DesJardins, Ph
 W. Frank Dauser
 Lang J. McHardy
 Karen J. Lenker

* A Professional Corporation
 † Also Registered At Law
 ** U.S. Patent Agent

Facsimile Transmittal Sheet

Confidentiality Notice:

The documents accompanying this facsimile transmission contain confidential information which may be legally privileged. The information is intended only for the use of the recipient named below. If you have received this facsimile in error, please immediately notify us by telephone to arrange for return of the original documents to us; any disclosure, copying, distribution or the taking of any action in reliance on the contents of this faxed information is strictly prohibited.

TO: Examiner Matsuichiro Shimizu
 FIRM: U.S. Patent and Trademark Office
 FACSIMILE NO.: (703) 305-3988
 FROM: Raimond J. Salenicks/John Carson
 CLIENT CODE: CARTRON.001A
 PAGES: 3 (INCLUDING THIS SHEET)
 IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.
 MESSAGE:

My assistant, Jan Sands, called you several weeks ago to set up an interview for John Carson of our firm. You indicated that you would like an Agenda for the interview before making an appointment. Attached is our Agenda for Personal Interview. Please call me to let me know if you could meet with Mr. Carson at any of the followings times: January 31 at 9 a.m. or 3:30 p.m.; February 1 at 9 a.m. or anytime after 3:00 p.m. My telephone number is (619) 687-8669. Thank you for your consideration.

620 Newport Center Drive
 Suite 1100
 Newport Beach, CA 92660
 Tel 949-780-0404

201 California Street
 Suite 1150
 San Francisco CA 94111
 Tel 415-394-4114
 Tel 415-394-4111

1500 Avenue of the Stars
 Suite 1425
 Los Angeles CA 90067
 Tel 310-551-3450
 Fax 310-551-3434

2400 Tenth Street
 Suite 700
 Riverside CA 92501
 Tel 808-781-8231
 Fax 909-781-4507

INFORMAL COMMUNICATION - Do Not Enter

Attorney Docket No.: CARTRON.001A
Application No.: 09/153,912
Filing Date: September 16, 1998
Examiner: Matsuichiro Shimizu
Art Unit: 2635

Agenda for Personal Interview

Proposed changes for the claims:

Claim 1. A cart return system for use by a store utilizing a computer, the system comprising:

- a detection loop arranged at the entrance to a cart return location;
- a loop oscillator circuit connected to the detection loop; and
- a processing circuit, connected to the loop oscillator circuit, being capable of detecting a change in inductance of the loop and identifying a cart return condition in response to the loop oscillator circuit, wherein the processing circuit is [capable of providing] adapted to provide a customer identification code to the computer, wherein the customer identification code is unique to each customer.

The amendments are not narrowing, but are purely for clarification purposes.

For each additional independent Claim 10, 19, 31, 41, we propose to add the clause "wherein the customer identification code is unique to each customer".

Discussion of Unger Reference

Unger describes a cart return system but does not describe any relationship with a store utilizing a computer. The third element of Claim 1 recites "a processing circuit... providing a customer identification code to the computer". The logics and detector shown in Figure 2 cannot be both the processing circuit and the computer. Unger, at most, shows "the entrance of a cart return location" and "a processing circuit" without the other limitations.

Discussion of Buckens Reference

4-623877 The Buckens reference is directed to a theft detection system for merchandise having an affixed magnetic strip material. Buckens shows a cart loaded with merchandise where the merchandise is the subject of detection and not the cart. The Examiner stated that Unger and Buckens are in the same field of endeavor of **object detection system**.

✓ In Buckens, the receiver antenna coils (50, 52) are connected serially to a complicated circuit (shown in Figures 6a,b,c) which has an oscillator (62). Buckens does not describe a change in inductance of the receiver antenna coils, but requires that the receiver produce electrical currents.

Applicant's "loop oscillator circuit" is connected in parallel to the detection loop and does not contain an oscillator component. It is called a loop oscillator circuit because a cart passing over or by the detection loop causes an oscillation in the loop circuit due to the change of inductance of the loop. This generates a change of frequency of the loop oscillator circuit. The

processing circuit detects the change in frequency (inductance) to detect the presence of the cart by the loop. See page 12 of the specification and Fig. 12.

Discussion of Amdahl et al. Reference

specific
The Examiner stated that Amdahl is in the art of **cart management system**. The Examiner stated that the processor (152) of Amdahl is capable of providing a customer identification code to the computer (col. 17, lines 49-58, card reader provides customer id to the computer) as an additional customer information for cart management system.

The text at col. 17 refers to credit card verification from a remote site via an optional modem. The processor (152) most likely receives just an indication that funds to rent the cart have been received in one form or another (bills, coins, credit) and thus, the processor never gets a customer ID (credit card number). It could be a liability to store customer credit card numbers at the processors (which are at unprotected locations, e.g., airport parking lots) for security reasons.

Discussion of Larson et al. Reference

The Examiner stated that Larson is in the art of **identification system**. Regarding dependent Claims 6 and 9, the Examiner stated that Larson discloses that the *processing circuit includes a customer identification device* that provides the customer identification code responsive to the cart return condition (col. 5, lines 40-54, an activated key issued by the cashier for reward upon returning cart; an activated key is customer ID) to provide reward for returning cart. However, there is no apparent reason why Unger would need the teachings of Larson since Unger provides an immediate reward (through a dispenser) for returning a cart. Furthermore, Larson does not seem to show that the activated key (magnetic paper or plastic credit card type device) having embedded tracking information is directly indicative of a customer identification. Moreover, it doesn't make sense to say that the *processing circuit includes a customer identification device (CID)* if the CID is a card.

Claim 7 recites that the customer identification device is a card reader. In the Claim 6 rejection, the Examiner stated that the customer identification device is the activated key (paper or plastic card) which is not congruent.

Combining the References

The Unger system does not need the Buckens receiver antenna coils connected to the circuit having an oscillator to improve the Unger photo diode apparatus. The Unger reference does not provide any motivation for needing or including the Buckens method of detecting a piece of magnetic material on merchandise. The Unger system can detect specific cart types by counting the number of upright members. The Unger reference further described adding a plate blocking some of the uprights so that only carts from a particular store are accepted. Unger and Buckens solve completely different problems of cart and merchandise detection.

The Unger system does not need either the Amdahl system or the Larson system because there is no need for a customer identification. The Unger apparatus provides a reward immediately upon detecting a cart properly returned to the holding pen.